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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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27267 7590 08/20/2008 WIGGIN AND DANA LLP ATTENTION: PATENT DOCKETING ONE CENTURY TOWER, P.O. BOX 1832 NEW HAVEN, CT 06508-1832				
EXAMINER				
CARTER, CANDICE D				
ART UNIT		PAPER NUMBER		
3629				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,177

Applicant(s)

BOHONNON, DAVID M.

Examiner

CANDICE D. CARTER

Art Unit

3629

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is a First Action Non-Final on the merits. Claims 1 and 3 have been amended. Claims 12 and 15 have been added. No claims have been cancelled. Therefore, claims 1-15 are pending and have been addressed below.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 9, 2008 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-5, and 7-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mini et al. (6,684,196, hereinafter Mini).**

As per claim 1, Mini discloses "A system for tracking and monitoring activities related to a sales transaction for an object of value, the system comprising:

at least one client device operable by at least one of a plurality of users of the system" (See Fig. 26 and 27);

"at least one centralized data store for storing information that includes data identifying the object of value, the plurality of users of the system, activities related to the sales transaction and a plurality of documents for completing the sales transaction" (col. 3, line 29-31 discloses a database associated with the centralized transaction manager and col. 6 line 59-col. 7, line 13 discloses storing information about the house and activities related to the house and Fig. 11, element 1118 discloses storing documents);

"and a controller, operatively coupling the at least one client device and the at least one centralized data store, the control or selectively providing access to information stored in the data store for tracking and monitoring the activities performed and documents created, reviewed and completed by parties to the sales transaction" (col. 5, line 23-36 discloses a website that selectively provides access to the system and systems database by use of a log on procedure),

"said access being provided via a first user interface providing information for monitoring a status of the sales transaction, and deadlines pertaining to the sales transaction" (col. 3, line 54-57 discloses a transaction manager providing accessibility to information so that the buyer and seller may check on the status of the transaction).

"a second user interface providing access to a database including information from a third party relating the object" (col. 10, line 33-47 discloses providing access to a variety of home listing databases, where this information contained within these databases come from third parties),

"and a third user interface providing documents for completing the sales transaction" (col. 3, line 58-67 discloses making the documents available for perusal),

"wherein a single entry of data relating to the sales transaction, performed using said client device, is effective to distribute said data to specified fields of the plurality of documents" (col. 3, line 33-36 discloses populating forms and documents with information input by the user about the transaction).

Mini, however, fails to explicitly disclose providing descriptions of the documents.

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real-estate transactions of Mini to include providing descriptions of the documents because it is old and well known to display documents with a title or some sort of descriptive information associated with them in order to communicate to those viewing the documents what type of documents they are.

As per claim 2, Mini discloses "the object of value is comprised of one of a yacht, boat, ship, marine vessel, aircraft, motor vehicle, other transportation vehicles and real estate for personal, commercial and/or recreational use" (abstract discloses transactions corresponding to real property).

As per claim 3, Mini discloses "said user interfaces providing a graphical representation of the sales transaction and the plurality of activities and documents" (See Fig. 22 and col. 4, line 49-64 discloses a website for facilitating the use of the transaction manager, where a website is a graphical representation).

As per claim 4, Mini discloses "the graphical representation further includes information regarding a current status of the activities and documents" (Fig. 22 displays

a status column and column 3, line 57-58 discloses checking on the status of the transaction and Fig. 6 discloses checking the status of a transaction).

As per claim 5, Mini discloses "the current status includes one of pending, closed, and aborted" (Fig. 22 displays a status column showing the statuses for the homes listed as "available", where an available status is a pending status).

As per claim 7, Mini discloses "an interface between the controller and an external data source including information related to the object of value" (col. 10, line 33-47 discloses retrieving home information from outside databases such as MLS or realtor.com, where these databases are external databases).

As per claim 8, Mini discloses "the plurality of users includes at least one of a dealer or broker, an escrow agent, a documentation agent, a buyer or seller of the object, a manufacturer or builder of the object, a wholesale finance or floor plan provider, a retail bank or financial institution, an insurance underwriter, agent or broker, a marine surveyor and a system administrator or closing coordinator" (col. 5, line 30 discloses buyers, sellers, and agents who are clients of the system).

As per claim 9, Mini discloses "said external data source is searchable." (col. 10, line 33-47 discloses searching the databases).

As per claim 10, "said information is necessary to complete said sales transaction" (col. 10, line 33-47 discloses retrieving home information from outside databases such as MLS or realtor.com, where these databases are external databases that contain information that is necessary to complete a home sale transaction).

As per claim 11, Mini discloses "data store is a repository of data and has archival and retrieval functionality" (col. 6, line 67-col. 7, line 13 discloses storing information in the system database and retrieving the information to populate documents).

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mini in view of Raveis (2002/0049624).

As per claim 6, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose "the controller further includes a notification engine providing messages to the parties to the sales transaction corresponding to the activities and documents of the transaction."

Raveis discloses a system and method for tracking real estate transactions having notifications providing messages to parties to the sales transaction corresponding to the activities and documents of the transaction (Fig. 11 and ¶ 160 discloses notes/notifications associated with the transaction stage, where the notes are associated with documents as shown in Fig. 11).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of Mini to include the notifications as taught by Raveis so that parties may be aware of pertinent information regarding the sales transaction.

6. Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mini in view of Rose (6,067,064).

As per claim 12, Mini discloses "A system for tracking and monitoring activities related to a sales transaction for an object of value, the system comprising:

at least one client device operable by at least one of a plurality of users of the system" (See Fig. 26 and 27);

"at least one centralized data store for storing information that includes data identifying the object of value, the plurality of users of the system, activities related to the sales transaction and a plurality of documents for completing the sales transaction" (col. 3, line 29-31 discloses a database associated with the centralized transaction manager and col. 6 line 59-col. 7, line 13 discloses storing information about the house and activities related to the house);

"and a controller, operatively coupling the at least one client device and the at least one centralized data store, the control or selectively providing access to information stored in the data store for tracking and monitoring the activities performed and documents created, reviewed and completed by parties to the sales transaction" (col. 5, line 23-36 discloses a website that selectively provides access to the system by use of a log on procedure)",

Mini, however, fails to explicitly disclose "a user interface providing access to a database including information from a third party, said information including registration information from a government agency regarding the object".

Rose discloses a system for verifying and tracking the title of articles or objects of value providing access to registration information from a government agency (Fig. 1B

displays an external database entity for the DMV where the DMV is a government agency).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the system and method for tracking real estate transactions of Mini to include the access to registration information from a government agency as taught by Rose since such would ensure that all information is up to date and accurate.

As per claim 13, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose "the object of value is comprised of a marine vessel".

Rose discloses a system for verifying and tracking the title of articles or objects of value that tracks boats (see abstract).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of Mini to include the tracking of boats as taught by Rose since such would maintain relevant data for all necessary parties involved in a marine vessel transaction.

As per claim 14, the Mini and Rose combination discloses all of the elements of the claimed invention but fails to explicitly disclose "registration information comprises official information maintained by the U.S. Coast Guard".

It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of the Mini and Rose combination to include the official information maintained by the U.S. Coast Guard because it is old and well known for the U.S. Coast Guard to maintain registration

information about marine vessels in order to keep a record of all boats that are registered with the Coast Guard.

As per claim 15, Mini discloses all of the elements of the claimed invention but fails to explicitly disclose "registration information is necessary to complete said sales transaction".

Rose discloses a system for verifying and tracking the title of articles or objects of value having registration information that is necessary to complete the sales transaction (col. 2, line 27-28 discloses issuing new registration plates and related documents every time ownership changes, where the completion of a sales transaction includes a change in ownership).

Therefore, it would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to modify the online real estate transactions of Mini to include the registration information necessary to complete the sales transaction in order to facilitate the transfer of ownership.

Response to Arguments

7. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Green et al. (6,041,310) discloses a method and system for automobile transactions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CANDICE D. CARTER whose telephone number is (571) 270-5105. The examiner can normally be reached on Monday thru Thursday 7:30am- 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. C./
Examiner, Art Unit 3629

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629